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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

March 4, 1999

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Captain Cook, Hawaii.

Sincerely,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

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In the matter of:)
)
 Amendment of Section 73.202 (b))
) RM-_____
 Table of Allotments)
)
 FM Broadcast Stations)
)
 (Captain Cook, Hawaii)

PETITION FOR RULE MAKING

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 226C1 (93.1 Mhz) to Captain Cook, Hawaii as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 226C1 (93.1 Mhz) to Captain Cook, Hawaii and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 226C1 to Captain Cook will have.

DISCUSSION

2. Captain Cook is located on Hawaii island. It is also located within Hawaii County, a county of some 120,317 persons. Captain Cook has a population of 2,595 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 226C1 to Captain Cook will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment is located at Kealahou, Hawaii. Kealahou is located 24 kilometers from Captain Cook.

It is obvious that from the above spacing that Captain Cook is presently without local FM service.

4. Captain Cook would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 24 Kilometers of Captain Cook. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the area of emergency conditions caused by severe weather or other health hazards.

5. Channel 226C1 can be allotted to Captain Cook and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Captain Cook, Hawaii	-----	226C1

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 226C1 and the pertinent adjacent channels to 226C1 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 19 - 29' - 42", W. 155 - 55' - 18") are that of a site located within the community of Captain Cook. No site restriction will be required to allot channel 226C1 to Captain Cook. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Captain Cook. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Captain Cook a would benefit from the allotment of channel 226C1. It has also been shown that channel 226C1 can be allotted to Captain Cook and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 226C1 for Captain Cook, Hawaii , 73.202.

8. Should channel 226C1 be allotted to Captain Cook, I certify that I will file an application for a Construction Permit to operate an FM station for Captain Cook , Hawaii.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 4, 1999

Respectfully submitted,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 226C1 (93.1 MHz), at N. 19 29 42, W. 155 55 18.

Searching Channel 226C1 (93.1 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Hilo	HI	224	A	U	94.0	74.0	76.3°	20.0
K224CG	Maalaea, etc.	HI	224	D	L	156.7	0.0	336.8°	156.7
KAOE	Hilo	HI	224	A	L	94.0	74.0	76.3°	20.0
KAOE	Hilo	HI	224	A	C	93.0	74.0	65.9°	19.0
ALC	Honolulu	HI	226	C	V	309.7	270.0	312.8°	39.7
ALC	Honolulu	HI	226	C1	U	282.8	245.0	314.8°	37.8
KQMFM	Honolulu	HI	226	C	L	309.7	270.0	312.8°	39.7
ALC	Lahaina	HI	228	C	U	137.0	105.0	340.3°	32.0
KPOA	Lahaina	HI	228	C	L	137.0	105.0	340.3°	32.0
ALC	Paauilo	HI	279	C	U	83.5	41.0	44.0°	42.5
KNUQ	Paauilo	HI	279	C	L	135.5	41.0	339.1°	94.5

FIGURE 1
CAPTAIN COOK, HAWAII
MOUNTAIN WEST BROADCASTING